IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

JOE STEVEN McCLENTON, #240 601,)
Plaintiff,)
v.) CIVIL ACTION NO. 2:16-CV-884-ALE
STATE OF ALABAMA, et al.,)
Defendants.)

ORDER

On November 22, 2019, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. 27). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED, and this case be and is hereby DISMISSED as follows:

- 1. The motion to dismiss filed by Defendant Nalls (Doc. 18) is GRANTED to the extent Defendant Nalls seeks dismissal of this case due to Plaintiff's failure to properly exhaust an institutional administrative remedy prior to filing this case.
 - 2. This case against Defendant Nalls is DISMISSED without prejudice.
- 3. This case against Defendant State of Alabama is DISMISSED with prejudice under 28 U.S.C. § 1915A(b)(1).
 - 4. No costs are taxed.

A final judgment will be entered separately.

/s/ Andrew L. Brasher
ANDREW L. BRASHER

UNITED STATES DISTRICT JUDGE